

UNCLASSIFIED

76-2801

20 August 1975

MEMORANDUM FOR: General Wilson


SUBJECT : Commission on CIA Activities -- Recommendation  
Pertaining to Civil Agency Use of Photography

1. The President's memorandum on implementing the recommendations of the Commission's report charges the Assistant to the President for National Security Affairs, the Director, OMB, and the DCI with preparing a draft directive establishing an interagency committee to oversee the domestic uses of intelligence photography. The attached draft prepared by Willkie Donelson, OMB, responds to this instruction.

2. The actions recommended in the draft are consistent with earlier proposals to establish a civil applications committee (see Tab A) and the recent USIB approved domestic collection requirements (see Tab B).

3. I have talked with Ed Proctor and Sayre Stevens about the draft and provided them with copies. They have no problems with the recommendations, although they may suggest some changes in wording after they review the draft. I am uncertain as to how the various proposals responding to recommendations of the Commission are being staffed. Although COMIREX is directly affected by this recommendation, it should be staffed through the IC.

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Deputy Chief, COMIREX Staff

Attachments:

Draft Directive

Tab A:

Tab B:

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NRO review(s) completed.

NSC review(s) completed.

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MEMORANDUM FOR: THE SECRETARY OF DEFENSE  
THE SECRETARY OF INTERIOR  
THE SECRETARY OF AGRICULTURE  
THE SECRETARY OF COMMERCE  
ADMINISTRATOR, NATIONAL AERONAUTICS  
AND SPACE ADMINISTRATION  
ADMINISTRATOR, ENVIRONMENTAL PROTECTION  
AGENCY  
THE CHIEF OF ENGINEERS, UNITED STATES ARMY

SUBJECT: Implementation of the Recommendation of the  
Commission on CIA Activities within the  
United States Pertaining to Civilian  
Agencies' Use of Classified Overhead  
Photography

The Commission on CIA Activities Within the United States has concluded that it can find no impropriety in permitting continued civilian use of classified overhead photography and that the economy of operating a single program dictates the use of the photographs for appropriate civilian purposes. Accordingly, the Commission recommended establishment of a civilian agency committee to oversee civilian uses of this photography in order to avoid any concerns over improper domestic use.

To implement the Commission's recommendation, the following actions are being taken:

1. The Secretary of Interior is directed to form a Civil Applications Committee which will:
  - ° receive, evaluate, consolidate, standardize, establish priorities and transmit to the Director of Central Intelligence (DCI) through the Chairman of the Committee for Imagery Reconnaissance and Exploitation

(COMIREX) all requests for classified photographic data from civilian agencies;

- ° stimulate and facilitate the operational use of classified systems and coordinate the incorporation of photography, data derived, and technology in performance of earth resources functions;
- ° supply information to civilian agencies so that they may knowledgeably formulate requests and reach compromises between requests and capabilities;
- ° act as the interface between civilian agencies and intelligence collectors, recognizing that the Director of Central Intelligence will not be involved in judgments concerning civil agency needs or priorities and that collection for this purpose will remain incidental to foreign intelligence collection;
- ° oversee civilian agency uses of classified photographic products in a manner designed to avoid any concerns that domestic photographic coverage is being used improperly in, for example, law enforcement activities.

The Committee will be chaired by the representative of the Department of Interior and will consist of representatives of the Departments of Agriculture and Commerce, the National Aeronautics and Space Administration, the Corps of Engineers and the Environmental Protection Agency. Membership may be expanded at the discretion of the Committee.

2. The Director of Central Intelligence will designate a representative to serve ex officio on the Civil Applications Committee for the purpose of liaison with the intelligence community, to assist in obtaining domestic photography, to address issues concerned with the use of classified products, and to facilitate the acquisition of security clearances for users. Since civil usage of data is enhanced if unclassified, the DCI's representative will be an intermediary on questions concerning release of information from security control as appropriate.

Henry A. Kissinger

William E. Colby

James T. Lynn

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December 6, 1973

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Civil Use of Classified Reconnaissance Systems, Technologies & Products

1. Tab A is a draft memorandum from Dr. Kissinger to several addressees associated with the subject. The tab includes a recommended reply to Dr. Kissinger from Chairman, COMIREX and a question from you to D/DCI/IC regarding the DCI's role in setting up a users panel.

2. As a result, Chairman, COMIREX and AD/DCI/IC revised the Kissinger draft presented in Tab B along with concurrence by ADDS&T, GC and OLC. OLC comments that "...we should discuss the program with our subcommittees..." and GC questions whether DCI's representative in this should be a member or observer.

3. The Tab B version of the draft memorandum was perceived as "stand-offish" by civil users and was clarified somewhat. I believe the clarifications do not compromise the separateness of civil and foreign intelligence users.

4. I recommend that:

a. you permit me to verbally inform David Elliott of NSC -- Kissinger's staff on this -- of your acceptance in principle of the Tab C memorandum pending the Congressional discussion OLC mentions;

b. you task OLC to gain acceptance of this concept and implementation with the appropriate subcommittees of Congress, and

c. you designate Chairman, COMIREX as your representative to both the ICCERSP ExCom and to the Civil Users Panel.

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AD/DCI/IC

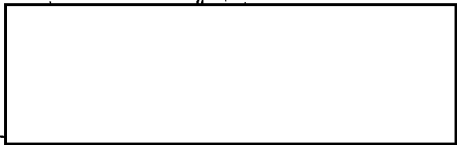
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Concurrence page for [redacted] "Civil Use of Classified  
Reconnaissance Systems, Technologies & Products," December 6, 1973

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Concur

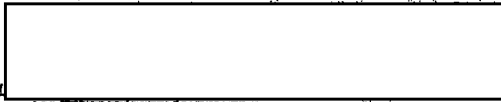


ADDS&T

10 DEC 1973

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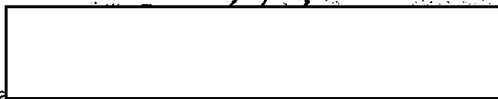
Concur



*Dec* Legislative Counsel

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Concur

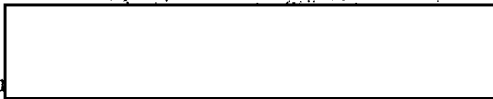


*Active* General Counsel

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Chairman, COMIREX 11 Dec 73

NATIONAL SECURITY COUNCIL

November 16, 1973

NOTE TO: HOMER NEWELL

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[REDACTED]  
DAN TAFT  
JOHN DeNOYER  
JACK MARTIN

The attached encompasses many of the suggestions I've received concerning the earlier draft on this subject, and I would like to have your final comments and/or concurrence.

D.E.

David Elliott

The Secretary of Agriculture  
The Secretary of Commerce  
Administrator, National Aeronautics  
and Space Administration  
Director, Office of Management and Budget  
Director, Central Intelligence Agency  
The Chief of Engineers, United States Army

SUBJECT: Civil Use of Classified Reconnaissance  
Systems, Technologies, and Products

The ARGO program was initiated in 1967 by the President's Science Adviser for the purpose of testing, on a limited basis, the utility of classified reconnaissance products as a tool in earth resource assessment. These tests, which were incidental to regular operations, gave results sufficiently encouraging that an interagency ARGO Steering Committee was established to facilitate expanded civil use of these classified data and systems. In the succeeding period a number of projects were successfully carried out.

Experience has shown, however, that if these concepts are to be put into action on a considerably broader and more operational basis, a routine mechanism, not available now via ARGO, is required to receive, evaluate and assist in satisfying requests for new data. The present ARGO structure is also obsolete with regard to membership, and furthermore, with the advent of the Interagency Coordinating Committee for the Earth Resources Survey Program (ICCERSP), the necessity of direct Executive Office involvement is no longer evident.

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To move the concepts of ARGO toward greater realization and to

update the organizational structure, the following actions are being taken.

- The Director of the Office of Management and Budget is requested to charge the Executive Committee of ICCERSP with the responsibility to stimulate and facilitate the experimental exploitation of remote sensing by classified sensor systems, and to coordinate the incorporation of classified reconnaissance technology in performance of the ERS function.
- The Secretary of the Interior is requested to form a Civil Applications Panel which will receive, evaluate, consolidate, standardize, prioritize and transmit to the Chairman of COMIREX all requests for classified reconnaissance data from <sup>the</sup> civil community. The Panel will supply information to the civil users so that they may knowledgably formulate their requests, and will assist in reaching compromises between requests and capabilities. The Panel will act as the interface between civil users and the intelligence collectors, recognizing that the Director of Central Intelligence will not be involved in judgments concerning civil users needs or priorities and that collection for this purpose will remain incidental to foreign intelligence collection. The Panel will be chaired by the representative of the Department of the Interior and will consist of representatives of the Department of Agriculture and Commerce, the Corps of Engineers, and the National Aeronautics and Space Administration. Membership can be expanded at the discretion of the Panel.

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- The Director of Central Intelligence will designate a representative to serve ex officio on the Executive Committee of the ICCERSP and the Civil Applications Panel for the purpose of liaison with the intelligence community, as well as to assist in planning, to address issues connected with the use of classified material, and to facilitate the acquisition of clearances for users. Since the civil utility of data is enhanced if unclassified, the DCI's representative will be an intermediary on questions of the release of derived information.
- The ARGO Steering Committee is abolished.

Henry A. Kissinger

cc: Distribution list to be added at the time of final classification of this document.

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Next 7 Page(s) In Document Exempt

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